IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

WP(C).No. 34371 of 2007(P)

PETITIONER:

M/S. HOTEL SEA GATE,
EDAPPALLY, ERNAKULAM, REPRESENTED BY ITS
MANAGING PARTNER, K.T.MATHEW.

BY ADV. SRI.ARIKKAT VIJAYAN MENON
SRI.HARISANKAR V. MENON

RESPONDENTS:

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1. COMMERCIAL TAX OFFICER,
KVAT 1ST CIRCLE, KALAMASSERY.

2. DEPUTY COMMISSIONER (APPEALS),
DEPARTMENT OF COMMERCIAL TAXES, ERNAKULAM.

3. INSPECTING ASSISTANT COMMISSIONER,
DEPARTMENT OF COMMERCIAL TAXES, ERNAKULAM.

BY GOVERNMENT PLEADER SRI. GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J

W.P.(C). 34371/2007

Dated this the 21st day of November, 2007

JUDGMENT

Exts.P1 and P2 are the orders of assessment against which Exts.P3 and P4 appeals have been filed by the petitioner. The petitioner has also filed Exts.P5 and P6 stay petitions which are pending with the second respondent. It is submitted that in the meanwhile revenue recovery proceedings have been initiated against the petitioner. Hence this writ petition.

2. In view of the pendency of the appeals and stay petitions before the second respondent as stated above, I dispose of this writ petition directing the second respondent to take up and consider Exts.P5 and P6 stay petitions as expeditiously as possible, and at any rate within a period of three weeks from the date of receipt of a copy of this judgment. In the meantime, further proceedings for the recovery of tax due on Exts.P1 and P2 shall be kept in abeyance for a period of four weeks.

3. Petitioner shall produce a copy of this judgment before the second respondent for compliance.

ANTONY DOMINIC
Judge

mrcs